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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/842,894	04/27/2001	Hiroko Shimizu	1341.1092	7590
21171	7590	11/04/2005	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			SING, SIMON P	
			ART UNIT	PAPER NUMBER
			2645	

DATE MAILED: 11/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/842,894	<b>Applicant(s)</b> SHIMIZU ET AL.	
	<b>Examiner</b> Simon Sing	<b>Art Unit</b> 2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2005.
- 2a) ☒ This action is **FINAL**.      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 9,11-16 and 19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 9,11-16 and 19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 9, 11-16 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Price US 6,389,132.

1.1 Regarding claim 9, Price discloses a multi-tasking call center 28 in figure 1, comprising:

at least one customer (client) terminal 12 comprising a telephone and a computer, the call center 28 is accessible by the computer via Internet 14 and a Web Server 18 (Figure 1; column 3, lines 57-65), or by said telephone via PTSN 16 with an Interactive Voice Response (IVR) unit, for making an inquiry (column 1, lines 5-8; column 2, lines 62-67; column 3, lines 1-10, 35-43, 60-61),

at least one agent (operator) terminal through which an agent receives the inquiry from the customer (Figure 1; column 3, lines 16-26, 35-36; column 4, lines 1-2, 11-15); and

a contact server 20 connected to said customer terminal and agent terminal (Figure 1; column 3, lines 66-67; column 5, lines 3-10);

Art Unit: 2645

the customer terminal including:

a graphical user interface (call center's web page on the computer's display) which allows the customer to post a text question (content of an inquiry) (column 5, lines 3-4) and to select a communication medium to be used when receiving an answer from the agent, the media comprising a voice call and an e-mail, for example, the customer may request an answer via web voice call by posting his/her telephone number (information related to the customer) (column 6, lines 28-32) or via an e-mail by posting his/her e-mail address (information related to the customer) via a text connection (column 7, lines 38-41); and

a transmission unit which transmits the information related to the communication media selected by the user, the contents of the inquiry, and information related to the user to said server by interacting with the web page (column 3, lines 1-3, 57-58, 60-61; column 5, lines 1-4), wherein said server includes:

a queue-managing unit which queue-manages inquiries in which the user has either selected a telephone calls or an e-mail as communication medium for receiving the answer (column 3, lines 62-67; column 4, lines 16-18; column 7, lines 32-41); and

a processing unit (contact server 20) which successively processes the inquiries in a queue on said agent terminal (column 3, line 66 to column 4, line 2; column 5, lines 6-10).

Price teaches a customer may post a text question on a web page (column 5, lines 1-4), post a telephone number for a web callback (column 6, lines 12-13, 28-32)

Art Unit: 2645

and posting an email address by text connection (column 7, lines 38-41). Price further teaches that a customer (42) may request email response (form an agent), and a customer (44) may request a voice response (column 7, lines 34-35), but fails to explicitly teach that the text question, the telephone number and the email address are all posted on one web page (a graphical user interface).

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Price's reference so that the text question, the telephone number field (voice medium for response) and the email address field (text medium for response) would have been posted on the same web page, because whether to posting these items on one single web page or on a plurality of web-pages would have been a matter of design choice since no functionality would have been altered.

1.2 Regarding claim 11, Price teaches managing the queue with a set of predefined business rules (column 8, lines 41-64).

1.3 Regarding claim 12, Price teaches different communication media for making the request and receiving the answer, for example, when the customer using the computer to make a text inquiry (column 5, lines 1-4), the customer may request an answer via voice call (column 6, lines 28-32).

Art Unit: 2645

1.4 Regarding claim 13, as discussed in claim 9, Price teaches that a customer may using a computer to access the call center's web-page to post a text question, and request response by voice or email.

1.5 Regarding claim 19, as discussed in claim 9, the web page of the modified Price reference comprises an area for inputting a text question, a telephone number and an email address.

1.6 Regarding claim 14, Price discloses a method for receiving an inquiry from a customer terminal, giving an answer to the inquiry through an agent terminal, said customer terminal comprising a telephone and a computer capable to access homepages or to send and receive e-mails (Figure 1; column 3, lines 57-61; column 4, lines 7-15; column 7, lines 30-46). Price teaches:

selecting a communication medium to be used when receiving said answer from an agent terminal, such as a voice callback or an email (column 6, lines 28-32; column 7, lines 38-41), allowing the communication medium selected to be different from a the one that making inquiry, for example, when the customer using the computer to make an inquiry through a web page (graphical user interface), the customer may input a question (content of an inquiry) (column 5, lines 1-4) and customer related information (telephone number or e-mail address), and request an answer via a web voice call (column 6, lines 28-32);

Art Unit: 2645

transmitting information related to the communication medium selected by the user, the contents of the inquiry and information related to the user to a server (column 5, lines 1-4; column 16, lines 28-32; column 7, lines 38-41);

queue-managing (providing control to successively processing) the inquiry in which the user has either selected a telephone calls or an e-mail as communication medium for receiving the answer (column 3, lines 27-35, 62-65; column 4, lines 1-10, column 6, lines 21-27); and

communicating with the customer terminal using the communication medium selected when answering the inquiry (column 4, lines 16-18; column 6, lines 28-32; column 7, lines 32-46).

1.7 Regarding claims 15 and 16, Price discloses a method for receiving an inquiry from a customer terminal, giving an answer to the inquiry to the customer through an agent terminal, said customer terminal comprising a telephone and a computer capable to access homepages or to send and receive e-mails (Figure 1; column 3, lines 57-61; column 4, lines 7-15; column 7, lines 30-46). Since Price's system utilizes servers 18-22 and computers (both user and agent terminals), inherently it has computer programs for:

displaying a graphical user interface (an interactive web page) on said customer terminal so that a customer can select a communication medium to be used when receiving a the answer from an agent terminal, such as a voice call or an email (column 6, lines 28-32; column 7, lines 38-41), and for inputting a question (content of inquiry)

Art Unit: 2645

and customer related information (telephone number or e-mail address), and allowing the communication medium selected to be different from the one that making inquiry, such that when the customer using the computer to make an inquiry through a Internet connection to the call center's web page, the customer may request an answer via voice call (column 6, lines 28-32);

transmitting information related to the communication medium selected by the user, from the customer terminal, the contents of the inquiry and information related to the user to a server (column 5, lines 1-4; column 6, lines 28-32; column 7, lines 38-41);

queue-managing (providing control to successively processing) the inquiry in which the user has either selected a telephone calls or an e-mail as communication medium for receiving the answer (column 3, lines 27-35, 62-65; column 4, lines 1-10; column 7, lines 32-41); and

communicating with the customer terminal using the communication medium selected when answering the inquiry (column 4, lines 16-18; column 6, lines 28-31; column 7, lines 32-46).

### ***Response to Arguments***

2. Applicant's arguments filed on 08/29/2005 have been fully considered but they are not persuasive.

2.1 Claim 9:

Applicants argue:



- a) Price does not teach a graphical user interface.

As discussed in this office action, the interactive web page (column 3, lines 60-61) which reads on the claimed graphical user interface, because it allows a customer to enter a question and posting telephone numbers and e-mail address, so that the customer may receive a response by voice or e-mail (column 5, lines 1-4; column 6, lines 28-32; column 7, lines 38-41).

- b) Price does not teach a processing unit in a server which successively processes inquiries in a queue (on an operator terminal) such that the operator terminal communicates with a client (user) terminal using the communication media selected when answering the inquiry.

Examiner likes to point out that the queue is **not** on an operator terminal. As disclosed in the Applicants' Specification, the queue is either stored in a Telephone Queue 112 of Exchange 111 (page 7, line 24 to page 8, line 5; figure 1), or an Outbound File 115 of CTS Server 114 (page 10, lines 19; figure 1). Price teaches putting a customer on hold (in a queue) (column 1-6) for processing (column 3, lines 27-35). Further, providing information (wait time) to a customer in a queue is not processing (answering) an inquiry with the communication selected, as argued by the applicant.

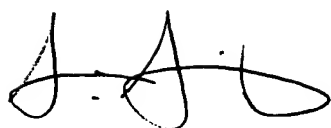
2.2 Claims 14-16: since the arguments same as claim 9 (e.g. graphical user interface and a processor for successively process a queue), please see section 2.1.

***Conclusion***

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

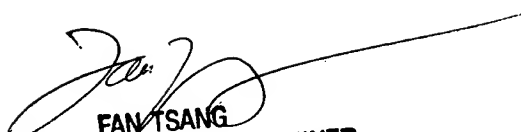
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

4. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Simon Sing whose telephone number is 571-272-7545. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached at 571-272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.



S. Sing

10/25/2005



FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600